Case 1:08-cv-01659-HB

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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TOTAL MAR NAVIGATION CORP.,

Plaintiff,
-against
ATN INDUSTRIES INC.,

Defendant.

Phone (212) 918-3000

Facsimile (212) 918-3100

## DEFENDANT'S UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE LIMIT

Defendant/Counterclaim-Plaintiff, ATN Industries Inc. ("ATN") files this Unopposed Motion for Leave to Exceed Page Limit.

On July 21, 2008, ATN will file a consolidated reply in support of its Motion to Vacate or Reduce Ex Parte Order of Maritime Attachment, Motion for Counter-Security

Pursuant to Supplemental Rule E(7), and Motion to Stay Proceedings and to Compel Arbitration (collectively, the "Motions").

Under Judge Baer's Individual Practices, reply memoranda are limited to ten pages. Rule 4(C). ATN seeks leave to file its reply of approximately four pages in excess of that limit.

It is necessary to exceed the ten-page limit because the reply is a consolidated reply in support of three motions. ATN cannot adequately address Plaintiff's response to the

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three motions in a consolidated reply of ten pages. ATN therefore requests leave to file its reply memorandum of approximately fourteen pages.

WHEREFORE, ATN requests that this Court grant its Unopposed Motion for Leave to Exceed Page Limit.

Dated: July 17, 2008

Respectfully submitted,

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SO ORDERE

Harold Baer, Jr., U.S.D.J